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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

LESLIE M. CHOKA,) 3 : 09 - CV - 00283 - ECR - RAM
)
 Plaintiff,) MINUTES OF THE COURT
)
 vs.) DATE: July 28, 2009
)
 JAMES GIBBONS; DAVID SARNOWSKI; LAW)
 CLERKS OF FIRST JUDICIAL DISTRICT)
 COURT / A TO Z /; THE CITY OF CARSON;)
 and THE STATE OF NEVADA,)
)
 Defendants.)
)

PRESENT: EDWARD C. REED, JR. U. S. DISTRICT JUDGE

Deputy Clerk: COLLEEN LARSEN Reporter: NONE APPEARING

Counsel for Plaintiff(s) NONE APPEARING

Counsel for Defendant(s) NONE APPEARING

MINUTE ORDER IN CHAMBERS

IT IS HEREBY ORDERED that Defendant David Sarnowski's Motion to Dismiss (#7), filed on July 9, 2009, is GRANTED. Defendant Sarnowski is dismissed from the case.

Defendant Sarnowski is sued in his official capacity. Sovereign immunity bars an action against the State or an agency thereof with exceptions not applicable here. A suit against a party in his official capacity is the same as a suit against the State. In any event, Plaintiff's Complaint (#5) fails to state a claim against Defendant Sarnowski upon which relief can be granted in this case.

LANCE S. WILSON, CLERK

By /s/
Deputy Clerk